

U.S. Department of Justice



United States Attorney
Southern District of New York

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The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

February 1, 2008

MEMO ENDORSE

BY HAND

The Honorable Colleen McMahon
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 640
New York, New York 10007

2/4/08
Adj. granted
Time Excluded.
[Signature]

Re: United States v. Efrain Carrasquillo, a/k/a "Fox,"
a/k/a "Bori," Michael Ortiz, Juan De Jesus, a/k/a
"Willy," and Christian Vera
07 Cr. 1076 (CM)

Dear Judge McMahon:

A status conference in the above-captioned matter is presently scheduled for February 6, 2008, at 9:30 a.m.

With respect to three of the four defendants - Efrain Carrasquillo, Michael Ortiz and Christian Vera - the Government has produced discovery, and the parties have been actively discussing a possible resolution of this case. Accordingly, the Government, joined by counsel for defendants Carrasquillo, Ortiz and Vera, respectfully request an adjournment of the upcoming status conference until March 18, 2008 at 9:30 a.m. There have been no previous requests for adjournments. Defense counsel for each of the three defendants consent to the adjournment.

Should Your Honor grant the request for an adjournment, the Government also respectfully requests that, with respect to defendants Carrasquillo, Ortiz and Vera, the Court exclude time from February 6, 2008, until March 18, 2008, pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(8)(A). The ends of justice served by such continuance outweigh the interest of the public and the defendants in a speedy trial because the continuance will allow the parties to continue to engage in discussions regarding a potential disposition. Defense counsel for each of the aforementioned


Honorable Colleen McMahon
January 31, 2008
Page 2

three defendants consent to this request for the exclusion of time.

With respect to the fourth defendant: Juan De Jesus recently filed a letter setting forth concerns and requesting the appointment of new counsel. This is De Jesus's second such letter; his first request for appointment of new counsel was filed on December 13, 2007 and subsequently rescinded, in open court, on December 20, 2007. In light of the foregoing, the Government and De Jesus's present counsel jointly request that Your Honor utilize the presently-scheduled status conference - February 6, 2008 at 9:30 a.m. - solely to consider De Jesus's request that Your Honor appoint new counsel.¹

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

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Attorney for Defendant Efrain Carrasquillo

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Attorney for Defendant Michael Ortiz

Philip L. Weinstein, Esq.
Attorney for Defendant Juan De Jesus

Jeremy Schneider, Esq.
Attorney for Defendant Christian Vera

¹ In an Order entered on December 20, 2007, Your Honor prospectively excluded time through February 6, 2008. Therefore, with respect to defendant De Jesus, the Government respectfully requests that Your Honor defer any rulings regarding further exclusions of time until the February 6, 2008 conference.